

Message Text

CONFIDENTIAL

PAGE 01 ATHENS 03140 061707Z
ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 COME-00 EB-08 INR-07 LAB-04
NSAE-00 SIL-01 L-03 PM-04 DODE-00 /040 W
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R 061604Z APR 77
FM AMEMBASSY ATHENS
TO SECSTATE WASHDC 9894

C O N F I D E N T I A L ATHENS 3140

EO 11652: GDS
TAGS: ELAB GR
SUBJECT: PACIFIC ARCHITECTS AND ENGINEERS (PAE)

REF: STATE 70234

1. ON APRIL 6 AN EMBOFF MADE A DEMARCHE TO THE MFA'S AMERICAN DESK OFFICER CONCERNING THE STATUS OF PAE'S AMERICAN AND THIRD COUNTRY NATIONAL (TCN) EMPLOYEES ALONG THE GENERAL LINES OF PARA. 4 OF REFTEL. THE DESK OFFICER REPLIED THAT SHE MUST REFER THE MATTER TO MFA DIRECTOR FOR WESTERN EUROPEAN AND AMERICAN AFFAIRS, AMBASSADOR CHRYSOSPATIS, FOR GUIDANCE, BUT WOULD RESPOND AS SOON AS POSSIBLE.

2. WITHOUT CITING SPECIFIC BILATERAL AGREEMENTS, THE EMBOFF STRESSED THAT WE BELIEVE PAE'S AMERICANS AND TCN EMPLOYEES ARE LEGALLY ENTITLED TO EXEMPTION FROM WORK PERMIT REQUIREMENTS, BUT WE HAD NOT CONSIDERED PURSUING THIS POSITION AS LONG AS THE REQUIREMENTS POSED NO OPERATIONAL PROBLEM FOR PAE. HE SAID THAT SINCE JULY 1976 IT HAS BECOME APPARENT THAT AS NOW APPLIED THE REQUIREMENT IS CREATING MAJOR PROBLEMS ADVERSELY AFFECTING PAE'S SUPPORT FOR US FORCES AND THE MORALE OF ITS AMERICAN WORK FORCE. HE NOTED THAT THE GOG HAS ACCEPTED THIS POSITION IN PRINCIPLE AT LEAST BY RECOGNIZING A CATEGORY OF CONTRACTOR EMPLOYEE WITHIN
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PAGE 02 ATHENS 03140 061707Z

THE NEW DRAFT SOFA. HE CONCLUDED BY SAYING THAT THE EMBASSY HAD BEEN INSTRUCTED TO REQUEST THE ISSUANCE OF ALIEN REGISTRATION CARDS TO PAE'S AMERICAN AND TCN EMPLOYEES. HE SAID THAT IF THIS IS NOT FEASIBLE IN THE NEAR FUTURE THE EMBASSY WISHES TO DISCUSS AS SOON AS POSSIBLE AN INTERIM SOLUTION WHICH WOULD ALLOW PAE TO DOCUMENT OR REPLACE ITS AMERICAN AND TCN EMPLOYEES IN AS TIMELY A FASHION AS IT HAD

BEEN ABLE TO DO PRIOR TO JULY 1976.

3. THE EMBOFF TOUCHED ONLY BRIEFLY ON THE FACT THAT AMERICAN EMPLOYEES OF OTHER CONTRACTORS HAVE RECEIVED ALIEN REGISTRATION CARDS. AS EXPLAINED PREVIOUSLY TO THE DEPARTMENT, TO PAE'S GENERAL MANAGER IN GREECE AND TO PAE'S VICE PRESIDENT IN WASHINGTON WHEN THE LATTER WAS HERE RECENTLY, THE EMBASSY BELIEVES THESE AMERICANS HAVE RECEIVED THEIR CARDS AS THE RESULT OF AN ADMINISTRATIVE OVERSIGHT, NOT BECAUSE THE GOG BELIEVES THEY ARE LEGALLY ENTITLED TO THE CARDS. PREVIOUSLY WE SUSPECTED THAT IF THE GOG'S ATTENTION WERE FOCUSED ON THESE EMPLOYEES THEIR STATUS WOULD BE JEOPARDIZED.

4. THIS BELIEF WAS CONFIRMED EARLIER THIS WEEK WITH THE RECEIPT OF THE FOLLOWING MFA NOTE:

"THE MINISTRY OF FOREIGN AFFAIRS PRESENT THEIR (SIC) COMPLIMENTS TO THE EMBASSY OF THE US OF AMERICA AND HAVE THE HONOR TO BRING TO THEIR KNOWLEDGE THAT, AS THE COMPETENT AUTHORITIES INFORMED THE MINISTRY, THE AMERICAN CITIZEN MR. HENRY OPPER, WHO IS A FULL-TIME TWA EMPLOYEE UNDER A U.S. GOVERNMENT CONTRACT IN GREECE, IS THE BEARER OF NO. H-19073/30/6/76 SPECIAL IDENTITY CARD.

"ACCORDING TO THE GREEK LEGISLATION THESE IDENTITY CARDS CANNOT BE ISSUED FOR PEOPLE WHO ARE EMPLOYED IN PRIVATE BUSINESSES. THEREFORE, THE MINISTSRY REQUEST THE CONFIDENTIAL

CONFIDENTIAL

PAGE 03 ATHENS 03140 061707Z

US EMBASSY TO NOTIFY MR. HENRY OPPER THAT, IF HE WISHES TO CONTINUE WORKING FOR TWA, HE WILL HAVE TO RETURN THE SPECIAL IDENTITY CARD GIVEN TO HIM. IF HE SO WISHES, THE MINISTRY KINDLY REQUEST THE US EMBASSY TO HAVE THE IDENTITY CARD RETURNED TO THE MINISTRY, DIRECTION OF PROTOCOL."

WE ASSUME THAT THE REFERENCE TO "COMPETENT AUTHORITIES" MEANS THE MINISTRY OF PUBLIC ORDER, WHICH OVERSEES THE ISSUANCE OF ALIEN REGISTRATION CARDS TO US MILITARY PERSONNEL AND MEMBERS OF THE CIVILIAN COMPONENT. WE UNDERSTAND THAT ATTENTION WAS DRAWN TO OPPER'S STATUS AS AN EMPLOYEE OF A PRIVATE FIRM IN THE PROCESS OF DOCUMENTING HIS MARRIAGE TO A GREEK CITIZEN.

5. THE EMBOFF ACKNOWLEDGED RECEIPT OF THE ABOVE NOTE WITHOUT MENTIONING THE OTHER AMERICANS ARE IN THE SAME STATUS. HE SAID THAT THE EMBASSY WOULD WAIT FOR THE MFA'S RESPONSE TO HIS DEMARCHE BEFORE REPLYING TO THE

NOTE.

6. SINCE THE ABOVE WAS DRAFTED, THE MFA HAS INFORMED US THAT CHRYSOPATHIS HAS REQUESTED A NOTE VERBALE OUTLINING THE US POSITION IN DETAIL FOR REFERENCE TO THE MFA'S LEGAL STAFF.

7. THE EMBASSY WOULD APPRECIATE GUIDANCE ON LANGUAGE FOR THE NOTE VERBALE. WE RECOMMEND THAT OUR CASE BE BASED ON EXISTING BILATERAL AGREEMENTS WITH AS LITTLE REFERENCE AS POSSIBLE TO THE FACT THAT THE AMERICAN EMPLOYEES OF OTHER CONTRACTORS HAVE RECEIVED ALIEN REGISTRATION CARDS.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
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Concepts: LABOR RELATIONS, DEMARCHE, FOREIGN WORKERS, WORK PERMITS
Control Number: n/a
Copy: SINGLE
Sent Date: 06-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
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Disposition History: n/a
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